UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,265	01/21/2000	William J Baer	STL000018US1	5626

7590 10/20/2005	**EXAMINER**
EPSTEIN EDELL SHAPIRO FINNAN & LYTLE LLC	TRUONG, CAM Y T

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ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/489,265	BAER ET AL.
	Examiner	**Art Unit**	
	Cam Y T Truong	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _2/23/2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-12_ is/are pending in the application.

　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-12_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a)☐ All b)☐ Some * c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

　a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2/16/05

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: ___ .

DETAILED ACTION

1.   Applicant has amended claims 1-3 in the amendment filed on 2/23/2005.

Claims 1-12 are pending in this Office Action.

Applicant's arguments with respect to claims 1-12 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Objections

2.   Claims 1-3 are objected to because of the following informalities: The words

"from that information" are unclear whether which information applicant want to indicate,

page 2, line 8; page 3, lines 5&17. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.   Claims 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had

possession of the claimed invention.

The added limitation "indicate different" in claims 1-3, page 2, line 6, page 3, lines

3&15 is not is not supported by the specification. Applicant is advised to amend the

claims by deleting the added limitations or amend the specification to support to the

added limitation in the claims. Applicant is also reminded that no new matter should be

added.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

6.   Claims 1, 3, 4, 6, 7, 8, 11 and 12 are rejected under 35 U.S.C.101 because the

language of the claim raises a question as to whether the claim is directed merely to an

abstract idea that is not tied to a technological art, environment or machine which would

result in a practice application producing a concrete, useful, and tangible result to form

the basis of statutory subject matter under 35 U.S.C 101.

As regarding claim 1 recites a method for preventing mutually exclusive content

entities stored in a data repository. However, the claim does not contain a computer

that is used implemented the method. Thus, claim 1 is merely abstract idea and being

processed without any links to a practical result in the technology arts and without

computer manipulation.

As regarding claims 4, 7, 8, claim "a method" and do not positively recite the

method that is implemented by a machine. Thus, claims 4, 7 and 8 are merely abstract

idea and are being processed without any links to a practical result in the technology arts and without computer manipulation.

The claim 3 recites a system. However, the claim does not contain a computer that is used implemented the system. Thus, claim 3 is merely abstract idea and being processed without any links to a practical result in the technology arts and without computer manipulation.

As regarding claims 6, 11 and 12 claim "a system" and do not positively recite the method that is implemented by a machine. Thus, claims 6, 11 and 12 are merely abstract idea and are being processed without any links to a practical result in the technology arts and without computer manipulation.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellard (USP 5991758) in view of Rail et al (or hereinafter "Rail") (US 5680611).

As to claims 1 and 2, Ellard teaches the claimed limitations:

"storing reference information for each content entity identifying other content entities that are mutually exclusive with that content entity" as a record identifier may be

used to uniquely identify the entity referred to by that record compared to other data

records received from the data source. Records are stored in a database. If the

standardized input data has the same record identifier as an existing data record, an

exception may be created that indicates that a two data records with the same record

identifier have been received. If the standardized input data does not have the same

record identifier as an existing data record, then the standard input data may be added

to into master entity index (MPI). It means that if the standardized input data has the

same record identifier as an existing data record, the standardized input data won't be

added to master entity index.   The if conditions indicate that records in database are

mutually exclusive with the standardized input data. The above information shows that

the systems stores identifiers of each standardized input data to compare records.

Records are represented as other content entities. Each standardized input data is

represented as each content entity. Identifiers are presented as reference information

(col. 9, lines 35-40; col. 11, lines 40-46),

"when adding a content entity to a compilation, referencing the reference

information to determine from that information if the content entity is mutually exclusive

of other content entities" as if the standardized input data has the same record identifier

as an existing data record, an exception may be created that indicates that a two data

records with the same record identifier have been received. If the standardized input

data does not have the same record identifier as an existing data record, then the

standardized input data may be added to into master entity index (MPI). The above

information shows that when adding a standardized input data to a MPI, a record

identifier determines if the standardized input data identifier is same or different from

identifier of records. MPI is presented as compilation. The standardized input data is

presented as a content entity. Identifiers are presented as reference information

(col.11, lines 40-50).

"if so, determining if any of the identified other content entities exists in the

compilation of content, and if not, adding the content entity to the compilation and if so,

not adding the content entity to the compilation" as if the standardized input data has

the same record identifier as an existing data record, an exception may be created that

indicates that a two data records with the same record identifier have been received. If

the standardized input data does not have the same record identifier as an existing data

record, then the standard input data may be added to into master entity index (MPI).

The above information shows that if the identifier of the standardized input data is

different to the identifier of an existing record, the system will add the standardized input

data into MPI, otherwise, the system will does not add the standardized input in MPI.

MPI is represented as the compilation of content.

Ellard does not explicitly teach the claimed limitation "wherein said reference

information indicates different content ineligible for placement with the same

compilation". Rail teaches if the transaction identifiers do not match, then a duplicate

has been identified and the record is stored in a duplicated file. However, if the

transaction identifier of the current record matches the transaction identifier associated

with the matching stored checksum, then the current record has been recycled and is

not a duplicate. It means that, in case, when the transaction identifiers do not match,

the record is reconiged as a duplicated record or similar record that eligible for storing

with a duplicated file. However, when the transaction identifiers match, the current

record is not a duplicated record; thus, this current record is stored in a duplicated file .

In this case, this current record contains a different records. Thus, unmatched identifier

of the current record indicates different content of the record (col. 4, lines 50-60).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to modify Rail's teaching of if the transaction identifier of the

current record matches the transaction identifier associated with the matching stored

checksum, then the current record has been recycled and is not a duplicate in order to

storing duplicated record in database for backup a record when the system is corrupted.

As to claim 3, Ellardteaches the claimed limitations:

"means storing reference information for each content entity identifying other

content entities that are mutual exclusive with that content entity" as a record identifier

may be used to uniquely identify the entity referred to by that record compared to other

data records received from the data source. Records are stored in a database.. If the

standardized input data has the same record identifier as an existing data record, an

exception may be created that indicates that a two data records with the same record

identifier have been received. If the standardized input data does not have the same

record identifier as an existing data record, then the standard input data may be added

to into master entity index (MPI). It means that if the standardized input data has the

same record identifier as an existing data record, the standardized input data won't be

added to master entity index. The if conditions indicate that records in database are

mutually exclusive with the standardized input data. The above information shows that

the systems stores identifiers of each standardized input data to compare records.

Records are represented as other content entities. Each standardized input data is

represented as each content entity. Identifiers are presented as reference information

(col. 9, lines 35-40; col. 11, lines 40-46),

"means for referencing the reference information when adding a content entity to

a compilation, to determine from that information if the content entity is mutually

exculsive of other entities" as if the standardized input data has the same record

identifier as an existing data record, an exception may be created that indicates that a

two data records with the same record identifier have been received. If the standardized

input data does not have the same record identifier as an existing data record, then the

standardized input data may be added to into master entity index (MPI). The above

information shows that when adding a standardized input data to a MPI, a record

identifier determines if the standardized input data identifier is same or different from

identifier of records. MPI is presented as compilation. The standardized input data is

presented as a content entity. Identifiers are presented as reference information

(col.11, lines 40-50);

"means for determining if any of the identified other content entities exists in the

compilation of content" as if the standardized input data has the same record identifier

as an existing data record, an exception may be created that indicates that a two data

records with the same record identifier have been received. If the standardized input

data does not have the same record identifier as an existing data record, then the

standard input data may be added to into master entity index (MPI). MPI is presented

as the compilation (col.11, lines 40-50);

"means for adding the content entity to the compilation if none of the other

content entities exists in the compilation, and means for not adding the content entity to

the compilation if any of the other content entities exists in the compilation" as if the

standardized input data has the same record identifier as an existing data record, an

exception may be created that indicates that a two data records with the same record

identifier have been received. If the standardized input data does not have the same

record identifier as an existing data record, then the standard input data may be added

to into master entity index (MPI). The above information shows that if the identifier of

the standardized input data is different to the identifier of an existing record, the system

will add the standardized input data into MPI, otherwise, the system will does not add

the standardized in MPI (col. 11, lines 40-50).

Ellard does not explicitly teach the claimed limitation "wherein said reference

information indicates different content ineligible for placement with the same

compilation". Rail teaches if the transaction identifiers do not match, then a duplicate

has been identified and the record is stored in a duplicated file. However, if the

transaction identifier of the current record matches the transaction identifier associated

with the matching stored checksum, then the current record has been recycled and is

not a duplicate. It means that, in case, when the transaction identifiers do not match,

the record is reconiged as a duplicated record or similar record that eligible for storing

with a duplicated file. However, when the transaction identifiers match, the current

record is not a duplicated record; thus, this current record is stored in a duplicated file .

In this case, this current record contains a different records. Thus, unmatched identifier

of the current record indicates different content of the record (col. 4, lines 50-60).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to modify Rail's teaching of if the transaction identifier of the

current record matches the transaction identifier associated with the matching stored

checksum, then the current record has been recycled and is not a duplicate in order to

storing duplicated record in database for backup a record when the system is corrupted.

As to claims 4, 5, 6, Ellard teaches the claimed limitation "wherein said reference

information is in the form of rules" as identifier I1 = identifier I2 is consistent with rules

Database (fig. 10).

As to claims 7, 9, 11, Ellard teaches the claimed limitation "wherein said

reference information defines relationships between the content entities in the data

repository to identify said content ineligible for placement within the same compilation"

as if the standardized input data has the same record identifier as an existing data

record, an exception may be created that indicates that a two data records with the

same record identifier have been received. If the standardized input data does not have

the same record identifier as an existing data record, then the standard input data may

be added to into master entity index (MPI). The above information shows that the

record identifier is compared with each record in database to indicate exclusion of the

standardized input data from MPI and adding operation. Whenever, the record identifier

is compared with each record in database, the system implies that the record identifier

has relationships between records in database (col.11, lines 40-50).

As to claims 8, 10, 12, Ellard teaches the claimed limitation "wherein said

compilation includes content entities selected by a user from the data repository" as

(col. 2, lines 40-57).

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to
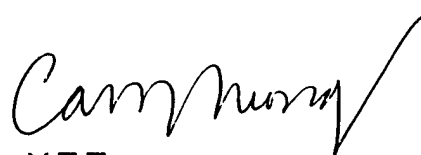
applicant's disclosure.

Warmus et al (US 6205452).

Contact Information

10.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Cam Y T. Truong whose telephone number is (571)

272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Cam Y T Truong
Examiner
Art Unit 2162